UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JONATHAN MCLEAN, :

Plaintiff, :

20-CV-8189 (ALC)(SN)

-against-

<u>ORDER</u>

UNITED STATES, et al.

Defendants.

: v

ANDREW L. CARTER, JR., United States District Judge:

As stated on the record at the August 24, 2023 conference, Third-Party Defendant Quest Diagnostics Incorporated ("Quest") is **GRANTED** leave to file (1) a motion to dismiss Plaintiff's Second Amended Complaint and (2) a motion to dismiss Defendant BronxCare Health System's Third-Party Complaint.

The parties indicated a willingness to engage in informal settlement negotiations. The parties shall file a joint status report by **October 2**, **2023** indicating whether they would like more time to discuss settlement or whether they seek a referral to the mediation program or a settlement conference before Magistrate Judge Netburn. If the case has not settled, the parties should include a proposed briefing schedule for Quest's motions to dismiss in the October 2 status report.

SO ORDERED.

Dated: August 28, 2023

New York, New York

ANDREW L. CARTER, JR. United States District Judge

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